

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

August 19, 2020

David J. Bradley, Clerk of Court

United States of America

v.

Thomas Douglas Butler

Case No. **4:20mj1499**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/14-8/18/2020 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section
18 U.S.C. 2422(b)

Offense Description
Coercion and Enticement

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Christopher Petrowski
Printed name and title

Sworn to before me telephonically.

Date: August 19, 2020


Judge's signature

City and state: Houston, Texas

US Magistrate Judge Sam S. Sheldon
Printed name and title

AFFIDAVIT

I, CHRISTOPHER PETROWSKI, Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, state as follows:

1. I am a Special Agent with the FBI, duly appointed according to law and acting as such, and have been employed by the FBI since 1995. As an FBI Special Agent, I am responsible for the enforcement of various federal laws, including those relating to the persuading, inducing, enticing or coercing any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so under 18 U.S.C. § 2422(b). I am currently assigned to the Houston Division, Child Exploitation Task Force of the FBI.

2. This affidavit is submitted in support of a criminal complaint charging THOMAS DOUGLAS BUTLER with one violation of Title 18 U.S.C. § 2422(b). Since this affidavit is submitted for the purpose of securing an arrest warrant, it does not include every fact known to the Affiant concerning this investigation.

3. The information contained in this affidavit is a compilation of information developed during an investigation conducted by your Affiant, and other agents and task force officers of the FBI.

4. On August 17, 2020, the San Antonio Field Office of the FBI was contacted by the United States Attorney's Office for the Western District of Texas concerning the disappearance of a 14 year old female, hereafter referred to as Minor Victim (MV)(DOB 8/4/2006), which took place on August 14, 2020 in San Antonio, Texas.

5. Agents conducted several interviews of MV's mother, Dora Mendoza (Mendoza) on August 17, 2020 and August 18, 2020. Mendoza and her children live at 427 Queen Anne

Street, San Antonio, Texas 78209. Mendoza told FBI agents that she provided an iPhone to MV approximately two weeks ago. The telephone number to the device is (210) 409-8691 with service provided through AT&T. MV had never before possessed her own smartphone device, although she has had access to the internet and social media through other devices. Mendoza frequently inspects MV's iPhone to ensure her use of it is appropriate for a 14-year-old. On the afternoon of August 14, 2020, Mendoza asked MV to present the iPhone to her for inspection. According to Mendoza, MV told her that she could not find the iPhone, and MV made a big production of tearing apart her bedroom looking for the iPhone. Later, at around 7:10 PM to 7:15 PM, Mendoza and her partner entered MV's bedroom and found MV in the room with the iPhone in plain view. Mendoza and her partner took the phone and found no inappropriate material or communications.

6. At approximately 7:15 PM to 7:20 PM, MV informed Mendoza that she was going to take the trash outside. At approximately 7:20 PM to 7:25 PM, Mendoza noticed that MV had not returned and was immediately suspicious. At 7:29 PM, Mendoza called a relative to come watch her younger child and began searching for MV, to include making a missing juvenile report to the San Antonio Police Department, San Antonio, Texas.

7. On August 17, 2020, the FBI obtained MV's iPhone from Mendoza and obtained consent from Mendoza to search the contents of the device. FBI Forensic Examiner Dustin McCarley performed a data extraction on the device to make its contents available for review.

8. A review of the contents of the data extraction found the remnants of a deleted messaging exchange between MV and an unknown individual. The messaging exchange, which began on August 13, 2020, appears to show MV and an unknown individual preparing to

secretly meet up and depart the area together on August 14, 2020. A selection of the messages, along with the date and times, is presented below:

Unknown

Damn baby you're cute af!! Nice legs hope you don't mind me saying that.

Status: Read

Read: 8/13/2020 10:25:23 AM(UTC-5)

8/13/2020 10:24:36 AM(UTC-5)

+12104098691 MV

No lol

Status: Sent

Delivered: 8/13/2020 10:25:36 AM(UTC-5)

8/13/2020 10:25:36 AM(UTC-5)

Unknown

Yaaaaay. You said you have a swimsuit right babe?

Status: Read

Read: 8/13/2020 10:33:58 AM(UTC-5)

8/13/2020 10:31:42 AM(UTC-5)

+12104098691 MV

No I don't have one

Status: Sent

Delivered: 8/13/2020 10:34:13 AM(UTC-5)

8/13/2020 10:34:13 AM(UTC-5)

Unknown

We will get ya one. I bet it's gonna be amazing.

Status: Read

Read: 8/13/2020 10:41:43 AM(UTC-5)

8/13/2020 10:41:32 AM(UTC-5)

+12104098691 MV

Lol

Status: Sent

Delivered: 8/13/2020 10:41:57 AM(UTC-5)

8/13/2020 10:41:57 AM(UTC-5)

Unknown

Ngl I was hoping for nvm nvm.

Status: Read

Read: 8/13/2020 10:42:25 AM(UTC-5)

8/13/2020 10:42:24 AM(UTC-5)

Unknown

The first pic you sent on FF was so sexy I was kind going for one like that.

Also I have a mine on your husky puppy. Girl or boy

Status: Read

Read: 8/13/2020 10:43:50 AM(UTC-5)

8/13/2020 10:43:50 AM(UTC-5)

+12104098691 MV

Boy

Status: Sent

Delivered: 8/13/2020 10:44:33 AM(UTC-5)

8/13/2020 10:44:32 AM(UTC-5)

+12104098691 MV

Tell me when you are on the way

Status: Sent

Delivered: 8/13/2020 10:45:52 AM(UTC-5)

8/13/2020 10:45:51 AM(UTC-5)

Unknown

Okay cool same. We gonna have a bomb ass dog that's for sure. It's not like I don't like girl dogs I just don't want to deal with puppies.

I will tell you when I head out baby. Are you pretty excited and nervous?

So do I get a little pic surprise before I go? .

Oh ya do you have any food allergies?

Status: Read

Read: 8/13/2020 10:52:32 AM(UTC-5)

8/13/2020 10:51:22 AM(UTC-5)

+12104098691 MV

No I do not have food allergies

Status: Sent

Delivered: 8/13/2020 10:53:31 AM(UTC-5)

8/13/2020 10:53:31 AM(UTC-5)

Unknown

Liked " No I do not have food allergies "

Status: Read

Read: 8/13/2020 10:57:20 AM(UTC-5)

8/13/2020 10:54:41 AM(UTC-5)

Unknown

What are you most excited about when it comes to me and you doing this?

Status: Read

Read: 8/13/2020 10:58:52 AM(UTC-5)

8/13/2020 10:58:16 AM(UTC-5)

+12104098691 MV

Spending time with you

Status: Sent

Delivered: 8/13/2020 10:59:28 AM(UTC-5)

8/13/2020 10:59:26 AM(UTC-5)

Unknown

Aweeee same baby!! I love you and this going to be great.

Status: Read

Read: 8/13/2020 11:00:22 AM(UTC-5)

8/13/2020 10:59:56 AM(UTC-5)

+12104098691 MV

Hey I can't talk I got grounded

Status: Sent

Delivered: 8/13/2020 1:41:14 PM(UTC-5)

8/13/2020 1:41:12 PM(UTC-5)

+12104098691 MV

So I have to delete your number

Status: Sent

Delivered: 8/13/2020 1:41:37 PM(UTC-5)

8/13/2020 1:41:37 PM(UTC-5)

Unknown

I was nervous but I'm just excited now. You're so beautiful and kind and I know we will get along so well and be so great for each other.

We will make it work today baby ♥♥♥.

Status: Read

Read: 8/14/2020 3:41:15 PM(UTC-5)

8/14/2020 3:40:38 PM(UTC-5)

+12104098691 MV

Yay love you thanks babe for the "you can do it" speech lol

Status: Sent

Delivered: 8/14/2020 3:42:56 PM(UTC-5)

8/14/2020 3:42:55 PM(UTC-5)

+12104098691 MV

Can you save these pics plz before we destroy my phone

Status: Sent

Delivered: 8/14/2020 4:32:15 PM(UTC-5)
8/14/2020 4:31:55 PM(UTC-5)

Unknown

Oh and prob take a shower

Status: Read

Read: 8/14/2020 4:32:56 PM(UTC-5)
8/14/2020 4:32:33 PM(UTC-5)

Unknown

Ye a baby I'll save them all

Status: Read

Read: 8/14/2020 4:32:56 PM(UTC-5)
8/14/2020 4:32:43 PM(UTC-5)

+12104098691 MV

Thanks babe

Status: Sent

Delivered: 8/14/2020 4:33:14 PM(UTC-5)
8/14/2020 4:33:13 PM(UTC-5)

+12104098691 MV

I have a question

Status: Sent

Delivered: 8/14/2020 4:35:01 PM(UTC-5)
8/14/2020 4:35:01 PM(UTC-5)

+12104098691 MV

Do you have a friend named Anne Cook or Jen?

Status: Sent

Delivered: 8/14/2020 4:35:35 PM(UTC-5)
8/14/2020 4:35:35 PM(UTC-5)

Unknown

I have a friend named Jen. Haven't seen her since school why

Status: Read

Read: 8/14/2020 4:36:33 PM(UTC-5)
8/14/2020 4:36:33 PM(UTC-5)

+12104098691 MV

Oh does she have curly hair?

Status: Sent

Delivered: 8/14/2020 4:37:08 PM(UTC-5)
8/14/2020 4:37:08 PM(UTC-5)

Unknown

No why baby

Status: Read

Read: 8/14/2020 4:37:34 PM(UTC-5)

8/14/2020 4:37:33 PM(UTC-5)

+12104098691 MV

Oh ok bc my mom has a friend who name is Jen and Jen has a friend who was a cook and was in cook shows

Status: Sent

Delivered: 8/14/2020 4:38:57 PM(UTC-5)

8/14/2020 4:38:56 PM(UTC-5)

+12104098691 MV

Jen has a friend who was a cook and was in cook shows

Status: Sent

Delivered: 8/14/2020 4:40:07 PM(UTC-5)

8/14/2020 4:40:07 PM(UTC-5)

Unknown

Oh cool

Status: Read

Read: 8/14/2020 4:40:42 PM(UTC-5)

8/14/2020 4:40:22 PM(UTC-5)

+12104098691 MV

Yeah just thought it was you for a sec bc you said you are a cook

Status: Sent

Delivered: 8/14/2020 4:41:34 PM(UTC-5)

8/14/2020 4:41:33 PM(UTC-5)

Unknown

I was a chef ya. You're gonna eat good baby

Status: Read

Read: 8/14/2020 4:48:13 PM(UTC-5)

8/14/2020 4:45:18 PM(UTC-5)

+12104098691 MV

Lol yay

Status: Sent

Delivered: 8/14/2020 4:48:22 PM(UTC-5)

8/14/2020 4:48:21 PM(UTC-5)

+12104098691 MV

Can I sneak out now or are you still kinda far?

Status: Sent
Delivered: 8/14/2020 4:49:34 PM(UTC-5)
8/14/2020 4:49:33 PM(UTC-5)

Unknown
Less than 2 hrs away
Status: Read
Read: 8/14/2020 4:49:39 PM(UTC-5)
8/14/2020 4:49:39 PM(UTC-5)

+12104098691 MV
Ok
Status: Sent
Delivered: 8/14/2020 4:49:47 PM(UTC-5)
8/14/2020 4:49:47 PM(UTC-5)

+12104098691 MV
Yay
Status: Sent
Delivered: 8/14/2020 4:49:50 PM(UTC-5)
8/14/2020 4:49:50 PM(UTC-5)

+12104098691 MV
Tell me when you are 1 hour away
Status: Sent
Delivered: 8/14/2020 4:51:06 PM(UTC-5)
8/14/2020 4:51:06 PM(UTC-5)

Unknown
Okay baby
Status: Read
Read: 8/14/2020 4:51:58 PM(UTC-5)
8/14/2020 4:51:18 PM(UTC-5)

Unknown
❤❤ baby this is going to be amazing
Status: Read
Read: 8/14/2020 4:55:18 PM(UTC-5)
8/14/2020 4:52:35 PM(UTC-5)

+12104098691 MV
Ikr❤❤❤❤
Status: Sent
Delivered: 8/14/2020 4:55:33 PM(UTC-5)

8/14/2020 4:55:33 PM(UTC-5)

+12104098691 MV

I am going to sneak out now

Status: Sent

Delivered: 8/14/2020 5:01:09 PM(UTC-5)

8/14/2020 5:01:08 PM(UTC-5)

+12104098691 MV

Is that ok?

Status: Sent

Delivered: 8/14/2020 5:01:18 PM(UTC-5)

8/14/2020 5:01:18 PM(UTC-5)

Unknown

Baby okay but I'm still 1 hour and thirty min out baby.

Status: Read

Read: 8/14/2020 5:03:02 PM(UTC-5)

8/14/2020 5:02:25 PM(UTC-5)

+12104098691 MV

My mom is going to feed me in 30 min

Status: Sent

Delivered: 8/14/2020 5:03:43 PM(UTC-5)

8/14/2020 5:03:37 PM(UTC-5)

Unknown

Okay baby

Status: Read

Read: 8/14/2020 5:03:56 PM(UTC-5)

8/14/2020 5:03:55 PM(UTC-5)

+12104098691 MV

So should I stay and eat or leave ??

Status: Sent

Delivered: 8/14/2020 5:04:19 PM(UTC-5)

8/14/2020 5:04:18 PM(UTC-5)

Unknown

Eat and the leave baby. If she's expecting to feed ya don't dip out now. I don't want her looking for you

Status: Read

Read: 8/14/2020 5:06:48 PM(UTC-5)

8/14/2020 5:06:14 PM(UTC-5)

+12104098691 MV

Ok

Status: Sent

Delivered: 8/14/2020 5:07:00 PM(UTC-5)

8/14/2020 5:07:00 PM(UTC-5)

Unknown

1 hour baby. Damn just think in less than two hours you will be on your way to your new place.

Status: Read

Read: 8/14/2020 5:55:28 PM(UTC-5)

8/14/2020 5:35:38 PM(UTC-5)

Unknown

I'll be there in 50 min

Status: Read

Read: 8/14/2020 6:41:32 PM(UTC-5)

8/14/2020 6:06:12 PM(UTC 5)

Unknown

Hello

Status: Read

Read: 8/14/2020 6:41:32 PM(UTC-5)

8/14/2020 6:40:13 PM(UTC-5)

+12104098691 MV

Babe don't text me

Status: Sent

Delivered: 8/14/2020 6:41:49 PM(UTC 5)

8/14/2020 6:41:49 PM(UTC-5)

+12104098691 MV

Mom has phone

Status: Sent

Delivered: 8/14/2020 6:41:58 PM(UTC-5)

8/14/2020 6:41:58 PM(UTC 5)

9. A review of the iPhone extraction also produced a section titled iPhoneRecentLog which showed MV's iPhone had logged telephone number (281) 753-4947 at 6:41:58 PM(UTC-5) on August 14, 2020. This is the exact same time as the last deleted message. An FBI exigent

inquiry determined THOMAS DOUGLAS BUTLER subscribes to cellular telephone number (281) 753-4947 through service provider Verizon. Records provided by Verizon through a voluntary emergency disclosure list the Account Billing Address for telephone number (281) 753-4947, effective 02/26/2018 as TOM BUTLER, 1900 Yorktown Street, Apartment 412, Houston, Texas 77056.

10. Open source database checks reveal telephone number (281) 753-4947 was used to register a Snapchat account with a display name of Thomas Butler and user name chef504281. Telephone number (281) 753-4947 was also used to register a Skype account with a username of i504chef and a display name of Thomas Butler. The Skype account also included a profile picture depicting a white male approximately 40 years old.

11. Using the identifiers provided by Verizon, database checks were performed for Thomas Butler associated with 1900 Yorktown Street, Apartment 412, Houston, Texas 77056. The checks produced results identifying a Thomas Douglas Butler with a date of birth: March 1, 1980, with addresses of 1900 Yorktown Street, Apartment 412, Houston, Texas 77056 and 5507 Huisache Street, Houston, Texas 77081. A check with the Texas Department of Public Safety produced a driver's license record for Thomas Douglas Butler, date of birth March 1, 1980, Texas Driver's License Number 17188716. An image accompanying the Driver's License record dated August 13, 2019, depicts a white male, 5'9" tall, with brown hair and brown eyes. The male in the photo is mostly bald with a black goatee beard. The depicted individual appears visually similar to the individual depicted in the aforementioned Skype profile picture.

12. Database checks were made to identify potential vehicles being operated by BUTLER. One such vehicle, registered to a Thomas W Butler, date of birth 9/24/1941, residing at 1900 Yorktown Street, Apartment 412, Houston TX 77056, was identified as a Blue 2010

Honda Accord, Texas License Plate MMS8628. This vehicle and license plate were submitted to the Texas DPS License Plate Reader system and were captured traveling eastbound on Highway I-10 by two separate cameras. On August 14, 2020 at 7:45:25 PM, a camera along I-10 in the vicinity of Cibolo, Texas captured a dark vehicle bearing license plate MMS8628, similar in appearance to a Honda Accord, traveling eastbound from San Antonio toward Houston. On August 14, 2020 at 8:04:51 PM, a camera along I-10 in the vicinity of Kingsbury, Texas, captured a dark vehicle bearing license plate MMS8628 continuing eastbound toward Houston.

13. A preliminary analysis of records provided by Verizon in the same voluntary emergency disclosure determined that the handset subscribed to telephone number (281) 753-4947 communicated with cellphone towers in the vicinity of 427 Queen Anne Street, San Antonio, Texas from approximately 6:36 PM to 7:15 PM on the evening of August 14, 2020. Further analysis determined that the handset travelled from the area of Houston, Texas on the afternoon of August 14, 2020 to San Antonio, Texas, and returned to the area of Houston, Texas on the evening of August 14, 2020.

14. A neighborhood video canvass conducted in the vicinity of MV's residence on August 18, 2020, found footage depicting a vehicle matching the description of the aforementioned Honda Accord parked in the lot outside of the Golden Food Mart at 571 Elanor Avenue, San Antonio, Texas at approximately 6:50 PM. A check with the operators of the store found a credit card transaction for a US Debit VISA, Card Number XXXXXXXXXXXXX2104, in the name of THOMAS BUTLER at 7:03 pm on August 14, 2020. A credit card receipt was recovered which is signed with the capital letters TDB. A time check determined the cash

register on which the transaction was made had a clock which was 16 minutes ahead of actual time, therefore the transaction took place at approximately 6:47 PM.

15. Video footage from the Golden Food Mart depicts an individual associated with the transaction described as white male wearing a grey t-shirt, white cargo style shorts with dark spots, a white and dark colored baseball cap, and tassel loafer shoes. The individual is wearing a blue protective mask from which a dark beard can be seen protruding from the sides of the mask.


16. Cell site "Pings" provided by Verizon, pursuant to an emergency request, determined that the handset subscribed to telephone number (281) 753-4947 was in the area of Houston, Texas on August 18, 2020. Agents from the Houston Field Office of the FBI located the vehicle, associated with Butler, at the Candlewood Suites Houston-Westchase hotel at 4033 West Sam Houston Parkway, Houston, Texas 77042. The desk clerk advised that Thomas Butler has been residing in room 215 for approximately one year.

17. On August 18, 2020, THOMAS DOUGLAS BUTLER was detained in the lobby of the Candlewood Suites. Butler stated that MV was located in room 215. MV was then located by Agents from the Houston Field Office of the FBI in room 215. MV stated she "had sex" with Butler. Investigating Agents observed a large "hicky" on MV's neck.

18. Butler engaged in at least one sex act with MV which violates Texas Penal Code 22.011 (b)(2) and (c) which criminalizes any sex act between an adult and a minor under the age of 17.

19. Based on the foregoing facts, your Affiant respectfully submits that there is probable cause to believe that THOMAS DOUGLAS BUTLER did persuade, induce, entice or coerce MV who has not attained the age of 18 years, to engage in prostitution or any sexual

activity for which any person can be charged with a criminal offense, or attempts to do so, in violation of 18 U.S.C. § 2422(b).


CHRISTOPHER PETROWSKI
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed telephonically on August 19, 2020, and finding probable cause supports the Defendant's arrest:


Sam S. Sheldon
U.S. Magistrate Judge